

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

2019 MAR -7 PM 3:48

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID ALLEN ANTONIO
FLEMINGS, JR.

Defendant.

CASE NO.

~~2:19-cr-00055~~

JUDGE

Judge Watson

INDICTMENT

18 U. S. C. § 1951

21 U. S. C. § 841(a)(1) and 841(b)(1)(C)

THE GRAND JURY CHARGES:

COUNT 1

(Interference with Interstate Commerce by Robbery)

1. At all times material to this Indictment, the Rite Aid drug store located at 437 North Wolfcreek Road, Brookville, Ohio, was engaged in commercial activities in and affecting commerce, that is, the said Rite Aid drug store intended to purchase and did purchase items made by manufacturers and producers outside of the State of Ohio, which items moved and were to move in interstate commerce from outside the State of Ohio for use and sale by the said Rite Aid drug store within the State of Ohio

2. On or about July 5, 2018, in the Southern District of Ohio, the defendant, **DAVID ALLEN ANTONIO FLEMINGS, JR.**, did unlawfully obstruct and affect commerce and the movement of articles in such commerce by robbery, in that the defendant, **DAVID ALLEN ANTONIO FLEMINGS, JR.**, did unlawfully take and obtain narcotics belonging to the said Rite Aid drug store, from a person having lawful custody of such narcotics, by means of actual and threatened physical violence in furtherance of such robbery.

In violation of 18 U.S.C. § 1951.

COUNT 2
(Possession with the Intent to Distribute Oxycodone)


On or about July 5, 2018, in the Southern District of Ohio, the defendant, **DAVID ALLEN ANTONIO FLEMINGS, JR.**, did knowingly, intentionally and unlawfully possess with the intent to distribute, a substance containing a detectable amount of oxycodone, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

A TRUE BILL

s/Foreperson
FOREPERSON

BENJAMIN C. GLASSMAN
UNITED STATES ATTORNEY


DAVID J. BOSLEY, (0023460)
Assistant United States Attorney